



DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69-A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

REPLY TO
ATTENTION OF

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 9, 2014

Regulatory Division

Mr. Henry E. Brown Jr.
Pine Hope, LLC
1035 Dominion Drive
Hanahan, South Carolina 29410

Dear Mr. Brown:

This is in reference to TMS parcel 1640002044 located at 200 Pine Hope Lane in Berkeley County, South Carolina. We were recently provided with information that suggests land clearing activities and/or placement of fill material may have occurred in waters of the U.S. on this property without Department of the Army Authorization. The specific area of concern is depicted on the enclosed figure. Information available to this office indicates that you are a party responsible for the work described above, either as property owner or the person performing or causing the performance of this work.

Under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers has regulatory authority over construction, excavation, or deposition of materials in, over, or under navigable waters of the United States. Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States, including freshwater wetlands. This is to inform you of the current permit provisions of the Clean Water Act as they relate to this activity. In particular, your attention is called to Section 404 of this Act (33 USC 1344) which authorizes the Secretary of the Army, acting through the Chief of Engineers, to issue permits for the discharge of dredged or fill material into all waters of the United States, which includes all wetland areas. Section 301(a) of this Act makes it unlawful to perform such activities without the requisite permit and Section 309 provides for fines up to \$37,500 per day for each violation.

You are cautioned not to perform any further work in a wetland area or tributary without the required Department of the Army authorization. The penalties allowed under the Clean Water Act for violations and the costs of restoration can be substantial. At this juncture, this office is continuing to gather information relative to this matter in order to decide on a course of action. Please take this opportunity to provide this office with any information you feel is pertinent in this case. **Please contact our office upon receipt of this letter to arrange a site inspection at the above mentioned property.**

In future correspondence concerning this matter, please refer to SAC-2014-00937-2VU.
If you have any questions regarding this matter, please contact Steven Currie at (843) 329-8044
or toll free at 1-866-329-8187.

Sincerely,



for

John T. Litz, PMP
Lieutenant Colonel, U.S. Army
Commander and District Engineer

Enclosures:
History of Aerial Imagery

called steve

10/23/14 AT 1545A

Lt MSF